

Flagpole, Flag, and Sign Policy – Wissler Ranch HOA

Resolution of the Wissler Ranch Homeowners Association Regarding Policies and Procedures for Political Signs Revised

SUBJECT: Adoption of a policy regulating the location, size and number of flagpoles, flags and signs.

PURPOSE: To adopt a uniform standard for flagpoles, flags and signs consistent with the intent and provisions of the Declaration and Colorado law

AUTHORITY: The Declaration of Covenants, Conditions and Restrictions for Wissler Ranch ("Declaration"), Bylaws of Wissler Ranch Homeowners Association ("Bylaws,") Articles of Incorporations for Wissler Ranch Homeowners Association and Colorado law including the Colorado Common Interest Ownership Act (CCIOA).

EFFECTIVE

DATE: September 7, 2021

Rule: The following Rule has been adopted by Wissler Ranch Homeowners Association (the "Association") pursuant to Colorado law at a regular meeting of the Board of Directors.

Colorado Common Interest Ownership Act {CCIOA} 38-33.3-1206.5, CRS states that notwithstanding any provisions in the Declarations, Bylaws or Rules and Regulations of the HOA to the contrary, an HOA shall not prohibit a flagpole, flag or a sign by the owner or occupant of a dwelling/property within the boundaries of the HOA. However, the HOA may regulate their number, placement and size and implement other objective requirements.

DEFINITIONS:

1. Sign. A display such as a posted notice used to express a concept or opinion.
2. Flag. A piece of cloth, usually rectangular and attached to a pole at one edge, that has a pattern that shows it represents a country or a group, or has a particular meaning
3. Flagpole. A pole on which a flag is raised.

PROVISIONS:

Article 4, Section 4.23 of the Declaration is no longer enforceable as a matter of public policy. Therefore, be it resolved as follows:

No flagpole, flag or sign of any kind may be posted in the Common Area including the entrances to Wissler Ranch HOA; in, on, or around the Mail Box Structure; bulletin board; ball field; the undeveloped areas; playground; parking lot; or along or between the walking path. Any flagpole, flag, or sign posted in violation of this rule will be promptly removed by the HOA and disposed after notice and an opportunity for a hearing.

El Paso County prohibits private signs in the road rights-of-way. Per County guidance, if you believe a flagpole, flag or sign is unlawfully placed within a right-of-way you can submit an online Customer Service Request to the Department of Public Works through the Citizen Connect process <https://publicworks.elpasoco.com/customer-service/> or call (719) 520-6460 and leave a detailed message to have it removed.

The following rules apply to a flagpole, flag or sign posted on an individual homeowner's property:

1. No flagpole, flag or sign may be placed or displayed on any individual property within Wissler Ranch except by the owner or occupant of that property or with their express prior approval.
2. Flagpoles.
 - a. Each lot is limited to one flagpole.
 - b. No flagpole may be placed in the El Paso County road rights-of-way, the utility easement of a lot or outside the setback of a lot.
 - The setback is defined as no less than 25' from the edge of the pavement or 50' from the sides or back of a lot.
 - Wall mounted flagpoles may be attached to the wooden post address markers installed by the developer.
 - c. Design Review Committee approval is required before a flagpole is permanently erected on a lot.
 - d. A flagpole must be commercially produced, aluminum or steel. The finish must be satin steel or powder-coated or anodized white, black, bronze, gray or dark green. Flagpoles may not be highly polished or reflective.

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- e. A ground installed flagpole may not exceed 20 feet in height or 3 inches in diameter. The height limit includes any decorative finial.
- f. Wall mounted flagpoles may not exceed 6 feet in length or 3 inches in diameter. The height limit includes any decorative finial.
- g. Decorative finials are restricted to a gold or white ball or gold or white eagle three inches in diameter.

3. Flags.

- a. Each lot is limited to three flags. All flags must be flown on a single flagpole.
- b. No flag may be placed in the El Paso County road right-of-way, the utility easement of a lot or outside the setback of a lot.
- c. A flag must be commercially produced and made of fabric.
- d. An individual flag may not exceed four feet by six feet in size.
- e. Flags may not be reflective.
- f. Flag illumination, if desired; is limited to one narrow beam flood light with sharp cut-off shielding or tightly focused pole-top downlight. The light beam must be tightly focused and not spill on to surrounding properties. The light must be low voltage or solar, not exceed 500 lumens or 7W, and have a color temperature less than 3000 degrees Kelvin.

4. Signs.

- a. Each lot is limited to two signs.
- b. No sign may be placed in the El Paso County road rights-of-way, the utility easement of a lot or outside the setback of a lot.
- c. A sign must be commercially produced and made of fiberglass, corrugated plastic or powder-coated metal.
- d. An individual sign may not exceed 18 inches by 24 inches by one-half inch.
- e. A sign may not be reflective and may not be illuminated.
- f. A sign must be placed on a commercially produced "H" stake not to exceed 15 inches high. The stake must be satin finished aluminum or steel or white powder-coated. Stakes may not be reflective.

5. General Requirements.

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- a. All signs and flags must be in good condition and repair.
- b. Signs and flags shall not be frayed, torn or faded.
- c. No Commercial Signs, other than one for sale or for rent sign may be kept or maintained on the Lot.

Supplement to Law – The provisions of this Rule shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Project.

Deviations - There will be no deviations to this Rule.

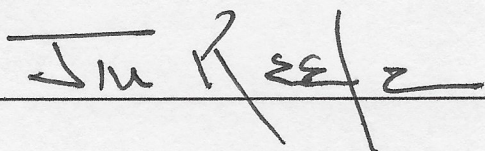
Violations – Installing a flagpole without DRC approval, or flying a flag or displaying a sign that does not conform to this policy is a Covenant violation and subject to the Wissler Ranch HOA Policies and Procedures on Covenant and Rule Enforcement.

Amendment – This policy may be amended from time to time by the Board of Directors.

PRESIDENT’S CERTIFICATION: The undersigned, being the President of the Wissler Ranch Homeowners Association, a Colorado nonprofit corporation, certifies that the foregoing Resolutions was approved and adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors of the Association on June 26, 2021 and revised at a duly called and held meeting of the Board of Directors of the Association on August 21, 2021 and in witness thereof, the undersigned has subscribed his/her name.

WISSLER RANCH HOMEOWNERS ASSOCIATION

A Colorado non-profit corporation,

By  President

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